

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Motor Vehicle Pollution Control Devices

Article 6. Emission Control System Warranty

§ 2041. Mediation; Finding of Warrantable Condition.

(a) This section is intended to provide a mechanism for mediating unresolved emissions warranty disputes between vehicle or engine owners and manufacturers or their agents.

(b) A vehicle or engine owner may request that the Executive Officer mediate a warranty claim.

(1) Upon receipt of such a claim the Executive Officer, or the Executives **Officers's** representative, may make a determination regarding whether the claim is meritorious on its face and, if meritorious, shall notify the appropriate dealer, or vehicle or engine manufacturer of the claim. The party against whom a complaint is made shall be given a reasonable time in which to respond. The Executive Officer may conduct an informal conference, and may request additional information and evidence.

(2) Upon examination of the facts submitted by the parties concerned, the Executive Officer, or the Executive **Officers's** representative, may find that a warranted part, or a vehicle's nonconformity with any California statutorily authorized motor vehicle emissions inspection and maintenance program, is eligible for warranty coverage pursuant to this article. If such a finding is made, the Executive Officer shall issue a Finding of Warrantable Condition.

(3) The Finding of Warrantable Condition shall include the name of the vehicle owner, vehicle manufacturer and model (including model year, make, car line and body type), vehicle identification number, engine family, odometer reading, date of inspection, identification of the defective part or other warrantable condition and the signature of the person issuing the Finding.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 43106, 43204, 43205, and 43205.5, Health and Safety Code.

REFERENCES